

70051-65

9/13/2013

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP 13 2013

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Christine A. Dively
Certis USA LLC
9145 Guilford Road, Suite 175
Columbia, MD 21046

Re: Thuricide HPC
EPA Reg. No. 70051-65
Submission dated June 10, 2013 and subsequent revisions
Decision No. 479431

Dear Ms. Dively:

The Agency has reviewed your request to amend the subject product registration which includes the following changes to the product label:

- Add to the label "For Home Garden Use Only"
- Revise Warranty Statement in accordance with the Label Review Manual
- Revise the Environmental Hazards Statement
- Add container handling statements for large containers.

The amendment referred to above, submitted in connection with registration under FIFRA section 3(c)(5) is acceptable provided that you:

1. Submit and/or cite all data required for registration of your product under FIFRA section 3(c)(5) when the Agency requires all registrants of similar products to submit such data.
2. Before sale and distribution, ensure that the correct establishment number appears on the label or the immediate container in accordance with 40 CFR 156.10(f). To verify that the establishment number for a given facility is correct, check with the appropriate compliance contact based on the location of the establishment. Contacts are listed at <http://www.epa.gov/compliance/contact/monitoring-establish.html>.
3. Submit two (2) copies of your final printed labeling before you release the product for shipment. Refer to the A-79 enclosure for a further description of a final printed label.

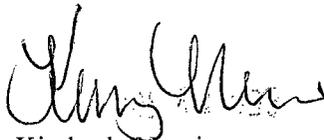
If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product bearing the amended labeling constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records.

If you have questions, please contact Ann Sibold by phone at 703 305-6502 or by email at sibold.ann@epa.gov.

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Sincerely,



Kimberly Nesci
Chief, Microbial Pesticides Branch
Biopesticides and Pollution Prevention
Division (Mail Code 7511P)

Enclosures (2):
A-79
Stamped Label

ACCEPTED

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Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No. 70051-65

Thuricide HPC FOR HOME & GARDENS

BIOLOGICAL INSECTICIDE

Controls worms and caterpillars on Fruits, Vegetables, Ornamentals and Shade Trees
Easy-To-Mix Liquid Concentrate

ACTIVE INGREDIENT:

Bacillus thuringiensis subspecies *kurstaki* strain SA-12 solids, spores and Lepidopteran active toxins (At least 6 million viable spores per mg)*..... 15.0%

OTHER INGREDIENTS:..... 85.0%

TOTAL:..... 100.00%

* The percent active ingredient does not indicate product performance and potency measurements are not federally standardized.

Net Contents for retail container: 4 (or 8, or 16) Fl. oz.

EPA Reg. No. 70051-65
EPA Est. No. 70051-CA-001
Lot Number:

Manufactured by
Certis USA, L.L.C.
9145 Guilford Road
Suite 175
Columbia, MD 21046

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

CERTIS

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION:

Causes moderate eye irritation. Avoid contact with eyes or clothing. Avoid breathing vapors or spray mist. Wash thoroughly with soap and water after handling.

Environmental Hazards

To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

This product must not be applied aerially within 1/4 mile of any habitats of endangered or threatened Lepidoptera. No manual application can be made within 300 feet of any threatened or endangered Lepidoptera.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

Apply Thuricide HPC for Home and Gardens when worms or caterpillars are first noticed, then repeat at five (5) to seven (7) day intervals while they are active. Apply more frequently to control heavy infestations. Apply thoroughly to top and bottom of foliage. Reapply after heavy rains.

Thuricide HPC for Home and Gardens must be eaten by worms or caterpillars to be effective. After ingesting the insecticide, they immediately stop feeding, though they may otherwise appear to be unaffected for several days. Best results are obtained by treatments when worms are small; they must be actively feeding on treated, exposed foliage. You may apply Thuricide HPC for Home and Gardens up to and on the day of harvest.

How to Apply: Always shake or stir Thuricide HPC for Home and Gardens thoroughly before use. Partially fill sprayer with water before adding the application rate amount of product, then mix in product thoroughly and add remaining amount of water.

Spray leaf surfaces thoroughly, top and bottom, for complete control. Agitate regularly while spraying. Use all of spray mixture within 24 hours.

Fruits and Vegetables: Mix 1.5 fluid ounces per 3 gallons water (1 tablespoon per gallon) for a hand sprayer and apply to all plant foliage to cover an area of 1000 square feet. Apply at first sign of infestation and repeat at weekly intervals when needed to maintain control of the following insects:

Cabbage Looper on broccoli, cauliflower, collards, kale, mustard greens, turnip greens, cabbage, celery, lettuce, melons, and tomatoes.

FIRST AID
If in eyes: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. Hot Line Number: 1-800-255-3924.

Thuricide HPC for Home and Gardens is an easy to mix liquid concentrate. For home garden use only

Properties include:

- Kills worms and caterpillar stage insects, but has no effect on birds, earthworms, or beneficial insects, such as honeybees and ladybugs, when used as directed.
- Worms and caterpillars eat treated foliage then immediately stop feeding and damaging plants.
- Acceptable for use on edible plants up to the day of harvest.

Imported Cabbage Worm on broccoli, cabbage, cauliflower, collards, kale, mustard greens, and turnip greens

Tomato Hornworm on tomatoes.

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Shade Trees & Ornamentals: Mix 2 fluid ounces per 3 gallons of water (4 teaspoons per gallon) for a hand sprayer or proportional amounts for a hose-end sprayer following manufacturer's directions. Apply at first sign of infestation and repeat at weekly intervals when needed to maintain control. Apply to thoroughly cover all foliage surfaces of shade trees and ornamentals for control of the following leaf-feeding worms:

- | | |
|------------------|-------------------|
| Bagworm | Spring Cankerworm |
| Fall Cankerworm | Gypsy Moth* |
| Tent Caterpillar | Elm Spanworm |
| Fall Webworm | |

*Apply when buds swell, but before leaves are fully open. If eggs hatch over a long period of time or if reinfestation occurs, spray about 14 days after first application.

STORAGE AND DISPOSAL

Pesticide Storage: Store in a cool place. Activity may be impaired by storage at temperatures above 90°F.

Pesticide Disposal and Container Handling: Nonrefillable container. Do not reuse or refill this container.

For containers equal to or less than 5 gallons:

If empty:

Place in trash or offer for recycling, if available.

If partly filled:

Call your local solid waste agency or 1-800-CLEANUP for disposal instructions. Never place unused product down any indoor or outdoor drain.

For containers greater than 5 gallons:

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

Then offer for recycling, if available, or puncture and dispose of in a sanitary landfill, or by incineration (plastic), or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

WARRANTY

Certis USA, L.L.C. warrants that the material contained herein conforms to the description on the label and is reasonably fit for the purposes referred to in the directions for use. Timing and method of application, weather, watering practices, nature of soil, ~~the insect problem, condition of the crop, incompatibility with other chemicals not specifically recommended, and other influencing factors in the use of this product are beyond the control of the seller.~~ To the extent consistent with applicable law, buyer assumes all risks of use, storage or handling of this material not in strict accordance with directions given herein. To the extent consistent with applicable law, NO OTHER EXPRESS OR IMPLIED WARRANTY OF THE FITNESS OF MERCHANTABILITY IS MADE